

A. G. Contract No.KR910261TRD
ECS File: JPA 91-18
Project: SR-95
Section: Bullhead City

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF BULLHEAD CITY

THIS AGREEMENT is entered into 2 July, 1991,
pursuant to Arizona Revised Statutes, Sections 11-951 through
11-954, as amended, between the STATE OF ARIZONA, acting by and
through its DEPARTMENT OF TRANSPORTATION (the "State") and the
City of BULLHEAD CITY, acting by and through its City Council
(the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the State.

2. The City is empowered by Arizona Revised Statutes
Section 48-572 and City Code Section 2-1-2 to enter into this
agreement and has by resolution, a copy of which is attached
hereto and made a part hereof, resolved to enter into this
agreement and has authorized the undersigned to execute this
agreement on behalf of the City.

3. The State and City desire to define their respective
responsibilities for the maintenance of SR-95 within the City.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:

NO. <u>15790</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>07/02/91</u>
<u>Richard Mahoney</u> Secretary of State
By <u>Wm. J. Greenewald</u>

II. SCOPE OF WORK

1. The State will:

a. Be responsible for any required betterments to SR-95 including; reconstruction of roadway, curbs, medians and traffic channelization and striping; bridges and drainage; guardrails and fences; speed and State Route traffic control signs (except as outlined in 2. a. and b. herein); transportation permits (such as overweight, overwidth and overheight, as prescribed by law); and permits for highway right of way encroachments and use.

b. Provide the City stop signs for streets that intersect SR-95 and replacements as required and requested.

2. The City will:

a. Provide routine maintenance for sidewalk repair and replacement and routine sweeping and cleaning; street sweeping over and above that which is provided by the State and is deemed necessary by the City; traffic control signs other than speed and State Route signs; curb markings; parking striping; parking signs and erection; litter control and pickup; and weed and overgrowth of vegetation control.

b. Provide labor for the replacement of stop signs that intersect SR-95.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until cancelled by either party, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518 (B) and (C).

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Room 222E
Phoenix, AZ 85007

City of Bullhead City
City Manager
PO Box 1048
Bullhead City, AZ 86430

7. Attached hereto and incorporated herein is a copy of the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY OF BULLHEAD CITY

STATE OF ARIZONA

Department of Transportation

By

Bob Rogge
BOB ROGGE, Mayor

By

August V. Hardt
AUGUST V. HARDT
Deputy State Engineer

ATTEST:

By

Dana Shilling
DANA SHILLING
City Clerk

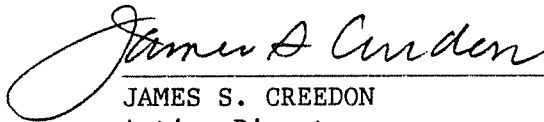
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6MAY

JPA 91-18

RESOLUTION

BE IT RESOLVED on this 20th day of February 1991, that I, JAMES S. CREEDON, as Acting Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the City of Bullhead City for the purpose of defining responsibilities for the maintenance of SR-95 within the limits of the City.

Therefore, authorization is hereby granted to draft said agreements which, upon completion, shall be submitted for approval and execution by the Deputy State Engineer.

A handwritten signature in cursive script, reading "James S. Creedon", is written over a horizontal line.

JAMES S. CREEDON
Acting Director
Arizona Department of
Transportation

RESOLUTION NO. 91R-037

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BULLHEAD CITY, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE STATE OF ARIZONA AND THE CITY OF BULLHEAD CITY AND AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE THE AGREEMENT FOR THE PURPOSE OF PROVIDING CERTAIN SIGNAGE AND MAINTENANCE ON STATE ROUTE 95.

WHEREAS, the State of Arizona is willing to provide replacement stop signs for streets which intersect State Route 95 with the corporate limits of the City and to provide certain services for the maintenance of State Route 95; and

WHEREAS, the City is willing to provide labor for the installation of replacement stop signs provided by the State and to provide cleaning services for State Route 95 and other minor maintenance work deemed necessary by the City's Public Works Department; and

WHEREAS, the State of Arizona is empowered by A.R.S. Section 11-952 and 28-108 Arizona Revised Statutes to enter into this agreement and the City of Bullhead City is empowered to enter into this agreement by virtue of the provisions of A.R.S. Section 11-952;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Bullhead City hereby approves the Intergovernmental Agreement between the City and the State of Arizona and hereby authorizes the Mayor to enter into and execute said agreement on behalf of the City.

PASSED AND ADOPTED by the Mayor and City Council of the City of Bullhead City, Arizona, this 16th day of April, 1991.

Bob Rogge
Bob Rogge, Mayor
Date: 4/18/91

ATTEST:

Dana E. Shilling
Dana E. Shilling, CMC, City Clerk

APPROVED AS TO FORM:

Paul Lenkowsky
Paul Lenkowsky, City Attorney

CERTIFICATION
THE FOREGOING INSTRUMENT IS A FULL, TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.
DATED: June 21 19 91
ATTEST: DANA E. SHILLING, CITY CLERK OF THE CITY OF
BULLHEAD CITY, AZ

Dana E. Shilling

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APPROVAL OF THE BULLHEAD CITY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION and the CITY OF BULLHEAD CITY and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

DATED this _____ day of _____, 1991.

City Attorney

1979j



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

~~Robert H. Corbin~~
XXXXXXXXXXXXXX

Grant Woods

INTERGOVERNMENTAL AGREEMENT

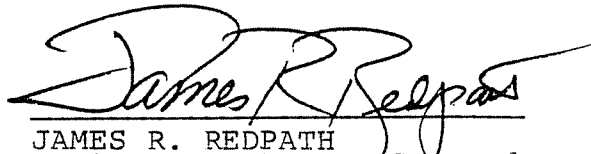
DETERMINATION

A. G. Contract No. KR910261TRD, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 28th day of June, 1991.

GRANT WOODS
Attorney General


JAMES R. REDPATH
Assistant Attorney General
Transportation Section